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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/715,765

11/18/2003

Robert E. Sinclair II

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MICROSOFT CORPORATION  
ONE MICROSOFT WAY  
REDMOND, WA 98052-6399

EXAMINER

SAINT CYR, LEONARD

ART UNIT

PAPER NUMBER

2626

NOTIFICATION DATE

DELIVERY MODE

04/14/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

roks@microsoft.com  
ntovar@microsoft.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/715,765	<b>Applicant(s)</b> SINCLAIR, ROBERT E.	
	<b>Examiner</b> LEONARD SAINT CYR	<b>Art Unit</b> 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 24 – 26, 32, 45, 46, and 48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24 – 26, 32, 45, 46, and 48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/27/09 has been entered.

### *Response to Arguments*

2. Applicant's arguments filed 01/27/09 have been fully considered but they are not persuasive.

Applicant argues that neither Ron nor Grunwald teach removing one or more user interface configuration options that is settable by the user to configure behavior of the user interface, the removing comprising causing the one or more user interface configuration options to not be settable, among other user interface configuration options, by the user (Amendment, pages 5 - 8).

The examiner disagrees, since Grunwald et al., disclose "in order to minimize the time for setting up and configuring the system **the user interface may provide for application** and/or user dependent presets, which are optimized based on several factors (e.g., user behavior)... it may be desirable in devices **the user interface allows**

**for quick and efficient interaction supported intelligent user interface behavior,**  
context sensibility...and the **ability to self adapt to user behavior** [ paragraph 22, lines  
1 – 5; paragraph 12, last six lines].

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 24 – 26, 32, 45, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ron (US Patent 5,647,834) in view of Grunwald et al., (US PAP 2002/0173721).

As per claims 24, and 25, Ron teaches one or more computer- readable media having executable instructions stored thereon that, when executed, implement a method comprising:

providing a plurality of computing device features to a user; detecting when an anxiety level of the user has increased, simplifying the plurality of features provided to the user in response to the increased level of user anxiety (“anxiety as interpreted from heart rate change”...reducing his heart rate and thus changing the content; col.7, lines 30 – 40).

However, Ron does not specifically teach that simplifying comprising removing one or more user interface configuration options that is settable by the user to configure behavior of the user interface, the one or more user interface configuration options comprising user interface components that can be manipulated to set options affecting

behavior of the user interface, the removing comprising causing the one or more user interface configuration options to not be settable among other user interface configuration options, by the user.

Grunwald et al., teach that in order to minimize the time for setting up and configuring the system the user interface may provide for application and/or user dependent presets, which are optimized based on several factors (e.g., user behavior) [paragraph 22, lines 1 – 5].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the system user interface based on user behavior as taught by Grunwald et al., in Ron, since it may be desirable in devices the user interface allows for quick and efficient interaction supported intelligent user interface behavior, context sensibility...and the ability to self adapt to user behavior (Grunwald et al., paragraph 12, last six lines).

As per claim 25, Ron in view of Grunwald et al., further disclose simplifying the plurality of features occurs automatically (Grunwald et al., “ability to self adapt to user behavior” paragraph 12, last two lines).

As pr claim 26, Ron in view of Grunwald et al., further disclose determining whether the user wants the plurality of features to be simplified (Grunwald et al., paragraph 16).

As pr claims 32, and 45, Ron in view of Grunwald et al., further disclose that the anxiety level is detected via a galvanic skin response strip (Ron, col.2, line 15).

As pr claim 45, Ron in view of Grunwald et al., further disclose simplifying further comprising displaying a hint, wizard, or help assistant (paragraph 178).

5. Claim 48 is rejected under 35 U.S.C. 102(e) as being anticipated by Roskind et al., (US PAP 2004/0127198).

As per claim 48, Roskind et al., teach one or more computer-readable storing information to enable a computer to perform a process, the process comprising:

storing a database of user preferences/settings (paragraph 20);

monitoring an environmental state of the computer, the environmental state comprising information indicating levels of ambient light and sound received by the computer from its local environment, the environment state further comprising information about peripheral devices attached to the computer, the environmental state further comprising inferences about a user or output needs derived from detecting patterns of use of an input device ("monitors one or more environmental conditions, such as motion, light sound...based on a preference of a user"; Abstract);

responsive to detected changes of the monitored environmental state, displaying user interface components configured to indicate respective preferences/settings corresponding to respective detected changes of the monitored environment state, and storing the indicated preferences/settings in the database of user preferences/settings

("detect changes in environmental conditions...light sensor, sound sensor... The keypad 219 allows a user to manually configure the one or more notification modes used by the mobile communications device 200 to alert the user of an incoming communication"; paragraph 32);

providing the stored user preferences/settings to arbitrary applications outputting audio and/or graphical data, the applications adapting how they render the audio and/or video data in accordance with the stored user preferences/settings ("In some implementations, the notification configuration information also may include user preferences for activating or deactivating particular notification modes for particular types of environmental conditions"; paragraph 34);

providing the stored user preferences/settings to arbitrary applications receiving input from the user, the applications adapting how they receive or interpret user input according to the stored user preferences/settings ("The I/O port 218 enables communication with a remote computing device through the use of a cable or a cradle connection. In some implementations, an alternative or additional I/O port may enable wireless communications with another computing device"; paragraph 32).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEONARD SAINT CYR whose telephone number is (571) 272-4247. The examiner can normally be reached on Mon- Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571)-272-1000.

LS  
04/08/09

/Richemond Dorvil/  
Supervisory Patent Examiner, Art Unit 2626